

22. The carpet of claim 21 wherein said second polyamide component is nylon 12 or nylon 6/12.

23. The carpet of claim 20 wherein said fiber has a trilobal cross-section.

REMARKS

Status of the Application:

Claims 1-15 and 17-19 are pending in the present application. Claim 6 is rejected under 35 U.S.C. §112, second paragraph. Claims 1-5, 7-12, and 17-19 are rejected under 35 U.S.C. §102(b). Claims 13-15 are rejected under 35 U.S.C. §103(a).

Claims 1 and 11 are amended to clarify the subject matter claimed. Claims 6, 7, 8 and 12 are now canceled. New claims 20-23 are added for the Examiner's consideration. Applicants respectfully ask the Examiner to reconsider his rejections after reviewing the foregoing amendments and the following arguments.

Rejection of Claim 6 under 35 U.S.C. §112, second paragraph:

The cancellation of this claim renders the rejection under §112 moot.

Rejection of Claims 1-5, 7-12, and 17-19 under 35 U.S.C. §102(b):

The Examiner rejects claims 1-5, 7-12, and 17-19 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,447,794 ("Lin"). Applicants most respectfully traverse this §102(b) rejection. Specifically, Applicants submit that, at best, Lin and the

present invention are related as genus and species, respectively. It is well settled that there is no anticipation where one has to pick and choose from among different materials described in a genus to arrive at a species, as claimed herein. See *Akzo N.V. v. International Trade Commission*, 1 USPQ 2d (Fed Cir. 1986).

Rejection of Claims 13-15 under 35 U.S.C. §103(a):

The Examiner rejects claims 13-15 under 35 U.S.C. §103(a) as being unpatentable over Lin. Applicants respectfully traverse this rejection. Applicants submit that Lin does not disclose or suggest every feature of the claimed invention. Even if Lin did suggest every feature, it is not expected from Lin that, for example, the claimed shrinkage behavior would be observed. It was further not expected (or taught) from Lin that the stain resistance would be observed at sheath contents below about 10%.

CONCLUSION

In conclusion, Applicant submits that all pending claims are allowable and respectfully asks the Examiner to take action indicative of that status.

Respectfully submitted,



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